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FILE: *Legal*

OLC 81-0002
5 January 1981

MEMORANDUM FOR: See Distribution

FROM:

[Redacted]

Chief, Legislation Division, OLC

SUBJECT:

P.L. 96-431

P.L. 96-431, relating to military leave for Federal employees, is attached for your information.

[Redacted]

Attachment

Distribution:

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Public Law 96-431
96th Congress

An Act

Oct. 10, 1980
[H.R. 6065]

To amend title 5, United States Code, to provide that military leave be made available for Federal employees on a fiscal year rather than a calendar year basis, to allow certain unused leave to accumulate for subsequent use, and for other purposes.

Military leave
for Federal
employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6323(a) of title 5, United States Code, is amended—

(1) by striking out "An employee" and inserting in lieu thereof "(1) Subject to paragraph (2) of this subsection, an employee";

(2) by striking out "for each day, not in excess of 15 days in a calendar year, in which he is on active duty or is engaged in field or coast defense training" and inserting in lieu thereof the following: "for active duty or engaging in field or coast defense training";

(3) by adding at the end thereof the following new sentence: "Leave under this subsection accrues for an employee or individual at the rate of 15 days per fiscal year and, to the extent that it is not used in a fiscal year, accumulates for use in the succeeding fiscal year until it totals 15 days at the beginning of a fiscal year."; and

(4) by adding at the end thereof the following new paragraph:

"(2) In the case of an employee or individual employed on a part-time career employment basis (as defined in section 3401(2) of this title), the rate at which leave accrues under this subsection shall be a percentage of the rate prescribed under paragraph (1) which is determined by dividing 40 into the number of hours in the regularly scheduled workweek of that employee or individual during that fiscal year.".

Effective date.
5 USC 6323 note.

SEC. 2. The amendments made by the first section of this Act shall take effect October 1, 1980.

Approved October 10, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-1128 (Comm. on Post Office and Civil Service).
CONGRESSIONAL RECORD, Vol. 126 (1980):
June 30, considered and passed House.
Oct. 1, considered and passed Senate.

